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NOTE VERBALE DATED 15 MAY 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE NETHERLANDS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Acting Permanent Representative of the Netherlands to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's note of 3 April 1992, has the honour to transmit the following information on the measures adopted by the Netherlands pursuant to Security Council resolution 748 (1992). These measures were implemented under regulation 945/92 of 14 April 1992 of the Council of the European Communities. Furthermore, the Netherlands Government issued a "Sanctions Decree, Aviation and Arms, Libya" on 15 April 1992, that is, inter alia, based upon the aforementioned European Council regulation.

1. Sanctions related to aerial navigation

Sanctions set out in paragraph 4 of resolution 748 (1992) have been implemented in the Netherlands pursuant to the Netherlands "Sanctions Decree, Aviation and Arms, Libya" of 15 April 1992 and European Council regulation 945/92 of 14 April that prohibits, on the territory of the Communities, inter alia, air traffic to and from the Libyan Arab Jamahiriya, the sale of aircraft components to that country, technical assistance of any sort to Libyan aircraft, payments of insurance claims concerning existing contracts covering Libyan aircraft, as well as the conclusion of new contracts of this nature, and the operation of all Libyan Airline Offices.

2. Military embargo

Sanctions set out in paragraph 5 of resolution 748 (1992) have been implemented by the Netherlands "Sanctions Decree, Aviation and Arms, Libya" of 15 April 1992, which prohibits:

The export to the Libyan Arab Jamahiriya of:

- Items which figure on the military COCOM list;

- Items which figure on the nuclear COCOM list;

- Items on all lists which have been brought under export control by virtue of the respective non-proliferation regimes;

- Paramilitary equipment, which is defined by quoting certain posts of the Economic Communities customs tariff list;

- The export to the Libyan Arab Jamahiriya of items for the production or maintenance of the above-mentioned items;

- The export to the Libyan Arab Jamahiriya, to persons living or remaining in the Libyan Arab Jamahiriya, or to any institution residing in the Libyan Arab Jamahiriya, of licensing arrangements or technical knowledge for the manufacture or maintenance of the above-mentioned items;

- The provision of technical advice and assistance, as well as training, for the provision, manufacture, maintenance or use of the above-mentioned items.

These provisions will apply notwithstanding any rights or obligations, derived from international agreements, contracts, licensing arrangements or permits.

3. Measures in respect of Libyan diplomatic and consular missions

With reference to paragraph 6 (a) of resolution 748 (1992) the Netherlands Government has informed by note of 15 April 1992 the Libyan Mission in Brussels that the accreditation of one Libyan diplomat had been terminated and that the latter's access to the Netherlands territory had been prohibited.

With reference to paragraph 6 (b) of resolution 748 (1992), all activities of the Libyan Airline Office have been prohibited.

All above-mentioned measures have been implemented in accordance with paragraph 7 of Security Council resolution 748 (1992) that states that the provisions of this resolution will apply notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to 15 April 1992.

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